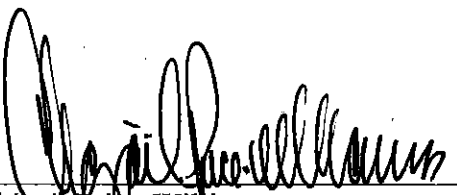


MEMORANDUM

Agenda Item No. 7(C)

TO:	Honorable Chairman Jean Monestime and Members, Board of County Commissioners	DATE:	(Second Reading 11-1-16) July 19, 2016
FROM:	Abigail Price-Williams County Attorney	SUBJECT:	Ordinance relating to the Fixed-Guideway Rapid Transit System-Development Zone; amending sections 33C-2 and 33C-9 of the Code; revising boundaries of the Downtown Intermodal District Corridor Subzone; revising Downtown Intermodal District Corridor Subzone site plan review standards regarding setbacks, encroachments, and sale of alcoholic beverages

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Vice Chairman Esteban L. Bovo, Jr.


Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: November 1, 2016
To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
From: Carlos A. Gimenez
Mayor
Subject: Fiscal Impact Statement for Ordinance Relating to the Fixed-Guideway Rapid
Transit System-Development Zone

The proposed ordinance relating to the Fixed-Guideway Rapid Transit System-Development Zone amends Sections 33C-2 and 33C-9 of the Code of Miami-Dade County revising boundaries of the Downtown Intermodal District Corridor Subzone site plan review standards regarding setbacks, encroachments, and sale of alcoholic beverages.

This proposed ordinance is not anticipated to create a fiscal impact to the County as none of the boundaries revisions will require additional staffing resources or generate operational expenses.



Jack Osterholt
Deputy Mayor

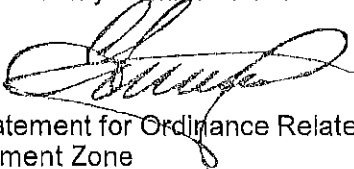
Fis08716 161722

Memorandum



Date: November 1, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

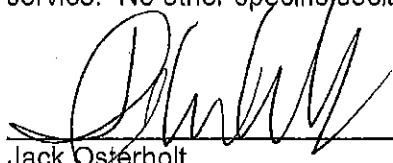
From: Carlos A. Gimenez
Mayor 

Subject: Social Equity Impact Statement for Ordinance Related to the Fixed-Guideway Rapid Transit System Development Zone

The proposed ordinance amends Sections 33C-2 and 33C-9 of the Code to:

- Allow for the necessary or appropriate structural support of a Fixed-Guideway Rapid Transit System or an Intercity Passenger Rail System to encroach on or in a mapped street within the Downtown Intermodal District Corridor Sub-Zone, and
- Removes the restrictions under Chapter 33, Article X of the Code pertaining to the sale of alcohol beverages in the Downtown Intermodal District Corridor Sub-Zone, which allow it to be more compatible with the surrounding areas that are subject to the City of Miami's regulations.

These amendments to the Code have a direct impact on the All Aboard Florida's Brightline train service. No other specific social equity benefit or benefit can be determined at this time.



Jack Osterholt
Deputy Mayor

161722

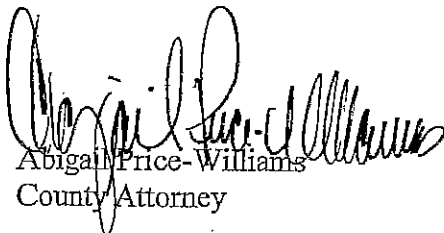


MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 1, 2016

FROM: 
Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(C)

Please note any items checked.

- ☒ "3-Day Rule" for committees applicable if raised
- ☒ 6 weeks required between first reading and public hearing
- ☒ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(C)
11-1-16

ORDINANCE NO. _____

ORDINANCE RELATING TO THE FIXED-GUIDEWAY
RAPID TRANSIT SYTEM-DEVELOPMENT ZONE;
AMENDING SECTIONS 33C-2 AND 33C-9 OF THE CODE OF
MIAMI-DADE COUNTY, FLORIDA; REVISING
BOUNDARIES OF THE DOWNTOWN INTERMODAL
DISTRICT CORRIDOR SUBZONE; REVISING DOWNTOWN
INTERMODAL DISTRICT CORRIDOR SUBZONE SITE PLAN
REVIEW STANDARDS REGARDING SETBACKS,
ENCROACHMENTS, AND SALE OF ALCOHOLIC
BEVERAGES; PROVIDING SEVERABILITY, INCLUSION IN
THE CODE AND AN EFFECTIVE DATE

WHEREAS, on April 8, 2014, the Board adopted Ordinance No. 14-37, which created
the Downtown Intermodal District Corridor Subzone; and

WHEREAS, the Board wishes to modify the boundaries of the Downtown Intermodal
District Corridor Subzone to add certain areas between N.W. 1st Avenue and N.W. Miami Court
and N.W. 1st Street and N.W. 2nd Street and to remove certain areas between N.W. 1st Avenue
and N.W. 2nd Avenue and N.W. 6th Street and N.W. 7th Street; and

WHEREAS, the attached revised Exhibit 17 supersedes the prior Exhibit 17 adopted as
part of Ordinance No. 14-37; and

WHEREAS, the Board also wishes to revise Downtown Intermodal District Corridor
Subzone site plan review standards regarding setbacks, encroachments, and sale of alcoholic
beverages,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 33C-2 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33C-2. Rapid Transit Zone.

*

*

*

- (B) *Designation of lands included.* The Board of County Commissioners hereby designates all land areas (including surface, subsurface, and appurtenant airspace) shown on Exhibits 1 through 16, bearing the following effective dates: Exhibit 1, July 31, 1998, Exhibits 2 through 9 and Exhibits 11 through 16, July 13, 1979, Exhibit 10, May 26, 1983, and Exhibit 17, February 13, 2014 >>as superseded by Ordinance No. [insert ordinance number], effective [insert ordinance effective date]<< certified by the Clerk of the Board as a portion of this chapter, incorporated hereby by reference, and transmitted to the custody of the Department of Regulatory and Economic Resources or its successor Department as the Rapid Transit Zone for the Stage I Fixed-Guideway Rapid Transit System. The Director of the Department of Regulatory and Economic Resources or its successor Department shall submit to each affected municipality an official map or maps designating the Rapid Transit Zone which may from time to time be altered, enlarged, added to, amended or deleted by ordinance, after a public hearing within each municipality affected.

*

*

*

Section 2. Section 33C-9 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Sec. 33C-9. Downtown Intermodal District Corridor Sub-Zone.

* * *

- (G) *Administrative Site plan development parameters.* The following development regulations shall apply to all development within the DID Corridor Subzone.

* * *

- (2) *Setbacks, cubic content, and lot size:*

* * *

- (b) Setback from NW 1st Avenue: The minimum setback for thirty percent (30%) of buildings fronting on NW 1st Avenue shall be zero (0) feet. Seventy percent (70%) of buildings fronting on NW 1st Avenue shall setback ten (10) feet minimum; provided, however, where a colonnade is provided the >>minimum<< setback shall be zero (0) feet. Colonnades shall have a ~~[[minimum—clear unobstructed width of ten (10) feet and a]]~~ minimum clear height of ten (10) feet. When the development sets back a minimum of ten (10) feet from the edge of the right-of-way, the setback area shall incorporate a combination of hard-scape and landscape elements finished to match the existing sidewalk. The percentage of frontage requirement may be calculated by street block or as a combined cumulative average of all street blocks fronting NW 1st Avenue.

* * *

- (3) *Encroachments:*

* * *

- (b) Cantilevered balconies, awnings, weather protection elements and similar features with adequate vertical clearance may encroach into street rights-of-way but shall not extend closer than six (6) inches from the curb face. >>Notwithstanding anything to the contrary in Section 28-18, Code of Miami-Dade County, structures necessary or appropriate to the structural support of a Fixed-Guideway Rapid Transit System or an Intercity Passenger Rail System shall be permitted to encroach on or in a mapped street.<<

*

*

*

>>(12) Alcoholic Beverages:

The restrictions on premises used for the sale of alcoholic beverages set forth in Chapter 33, Article X of this code regarding hours and days of sale, distance from other premises used for the sale of alcoholic beverages and distance from schools or religious facilities shall not apply in the Downtown Intermodal District Corridor Sub-Zone.<<

*

*

*

Section 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 4. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 5. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

APW

Prepared by:

B.L.

Bruce Libhaber

Prime Sponsor: Vice Chairman Esteban L. Bovo, Jr.

DOWNTOWN INTERMODAL DISTRICT CORRIDOR SUBZONE

LEGEND:

POB Point of Beginning
P.B. Plat Book
PG. Page
O.R.B. Official Record Book

LEGAL DESCRIPTION:

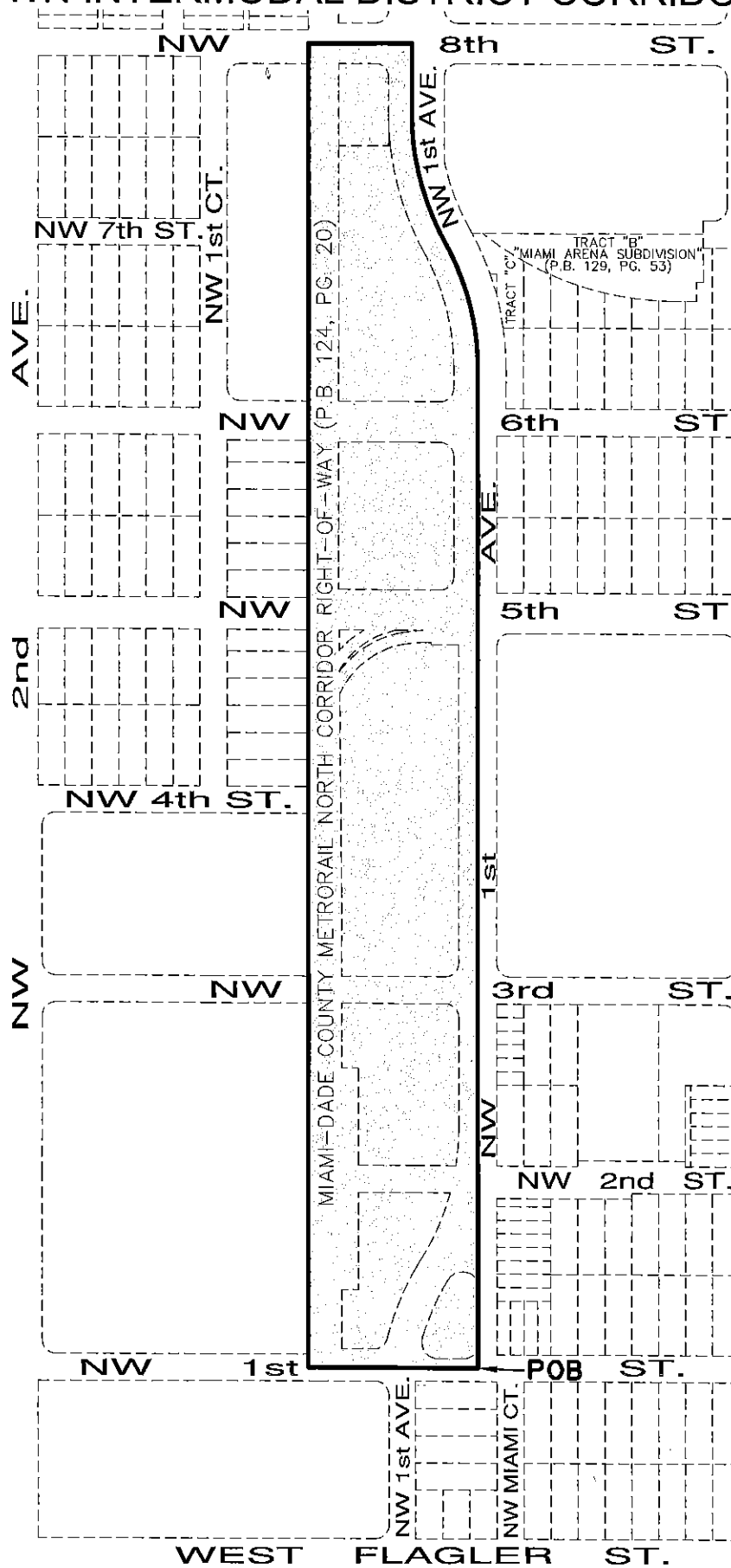
A portion of land lying in Section 37 (James Hagan Donation), Township 53, and 54 South, Range 41 East, City of Miami, Miami-Dade County, Florida, bounded by the centerline of the following Streets and Avenues is more particularly described as follows:

BEGIN at the centerlines intersection of NW 1st Avenue and NW 1st Street; thence run North along the centerline of said NW 1st Avenue to the point of intersection with the centerline of NW 8th Street; thence run West along the centerline of said NW 8th Street to the point of intersection with the West Right-of-Way line of the Miami-Dade County Metrorail North Corridor; thence run South along said Right-of-Way line to the point of intersection with the centerline of NW 1st Street; thence run East along said centerline of NW 1st Street to the POINT OF BEGINNING.

EXHIBIT 17

SHEET 2 OF 2 SHEETS

DOWNTOWN INTERMODAL DISTRICT CORRIDOR SUBZONE



NOT TO SCALE

WEST FLAGLER ST.

EXHIBIT 17

SHEET 1 OF 2 SHEETS